

**ALLOWANCE**

1. The following is an Allowance in response to Applicant's Request for Continued Examination and remarks filed on 4/28/2010. Claims 1-6, 8-14 and 27-30 are pending and allowed below.

**Examiner's Amendment**

3. An examiner's amendment to the record appears below. Claims 1-6, 8-14 and 27-30 are pending. Claims 1, 5, 9, 13-14, 27 and 29-30 are amended. Claims 18-26 are cancelled. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Troy Gwartney on August 25, 2010.

**Amendment to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for quantifying brand development opportunities, comprising:  
executing instructions to perform computer-implemented steps on a processor,  
~~providing a system comprising a processor, at least one memory storing data~~  
~~and instructions, a display device, a user interface, and distinct software~~  
~~modules embodied on a computer-readable medium;~~

wherein the ~~distinct software modules~~ instructions comprise a first analysis tool module comprising a brand pyramid conversion analysis tool module, a second analysis tool module comprising an image/equity analysis tool module for determining tier-specific brand image factors that drive the population of customers to be associated with a selected tier of a selected multi-tier brand pyramid, and a regression analysis tool module; and

wherein the ~~distinct software modules~~ instructions are configured to access ~~[[the]]~~ at least one memory for data related to a population of customers in the selected tier and instructions; and

wherein the instructions are embodied on a computer-readable medium;

and

wherein the executing comprises:

~~executing the instructions to perform the computer-implemented steps on the processor of:~~

- executing a first analysis by the first analysis tool module to analyze a population of customers in a first tier of a multi-tier brand pyramid;
- executing a second tier-specific analysis of the first tier of the multi-tier brand pyramid by the second analysis tool module from the data related to the population of customers in the first tier of the multi-tier brand pyramid;
- determining, by the regression analysis tool module, the tier-specific brand loyalty or brand image factors related to the first tier and information about the tier-specific brand loyalty or brand image factors based on results of the first analysis and results of the second analysis;
- outputting a ~~display determined result~~ on ~~[[the]]~~ a display device, the display determined result showing the tier-specific brand

loyalty or brand image factors and the information about the tier-specific brand loyalty or brand image factors; and identifying and quantifying the tier-specific brand development opportunities based on the display determined result, the tier-specific brand development opportunities comprising opportunities for increasing attitudinal and behavioral loyalty among the population of the customers associated with the first tier.

2. (Previously Presented) The method from claim 1,  
wherein the determining step identifies an association between the population of the customers in the first tier and the tier-specific brand image factors, and an extent that the tier-specific brand image factors drive customer movement from the first tier to a second tier of the brand pyramid and  
wherein the method further comprises  
outputting a display of an image perceptual map on the display device, the display of the image perceptual map showing an extent of and basis for brand differentiation based on the tier-specific brand image factors; and  
identifying and quantifying the tier-specific brand development opportunities based on the display of the image perceptual map.
3. (Previously Presented) The method from claim 1,  
wherein the method further comprises:  
executing a third analysis comprising a trade-off analysis by a trade-off analysis tool module; and  
wherein the determining step identifies trade-offs between factors causing a group of customers to move from the first tier to a second tier of the brand pyramid based on the results of the first analysis, the results of the second analysis, and results of the third analysis.

4. (Previously Presented) The method from claim 1, wherein the method further comprises:

- executing a third analysis comprising an analysis by an econometric analysis tool module; and

- wherein the determining step identifies a relative weighting of drivers causing a group of customers to move from the first tier to a second tier of the brand pyramid based on the results of the first analysis, the results of the second analysis, and results of the third analysis.

5. (Currently Amended) The method from claim 1, wherein the method further comprises:

- executing a third analysis with a third analysis tool module;

- wherein the third analysis tool module chosen is a probability simulator module;

- wherein the third analysis further comprises generating, via [[the]] a user interface, a selected number of scenarios involving moving from the first tier to a second tier of the brand pyramid and determining, based on the scenarios, a probability that a customer will move across the tiers;

- wherein the determining step estimates a probability value based on a range of probabilities that a group of customers will move from the first tier to the second tier based on the results of the first analysis, the results of the second analysis, and results of the third analysis;

- wherein outputting the display determined results on the display device further comprises outputting a display of the estimated probability value and the range of probabilities that the group of customers will move from the first tier to the second tier; and

- wherein identifying and quantifying the tier-specific brand development opportunities further comprises identifying and quantifying the tier-specific brand development opportunities based on the display of the estimated

probability value and the range of probabilities that the group of customers will move from the first tier to the second tier.

6. (Previously Presented) The method from any one of claims 2 through 5, wherein the brand pyramid conversion analysis tool module performs brand pyramid conversion analysis on a multi-tier brand pyramid customized to a company and to an industry of the company.

7. (Canceled).

8. (Previously Presented) The method from claim 4, further comprising calculating a return on investment for at least one lever affecting revenue from a selected brand by a return-on-investment analysis tool module.

9. (Currently Amended) A method for quantifying brand development opportunities for a particular brand, comprising:

executing instructions to perform computer-implemented steps on a processor,  
~~providing a system comprising at least one memory storing data and instructions,~~  
~~a display device, a user interface, and at least one processor having~~  
~~distinct software modules;~~  
wherein the ~~distinct software modules~~ instructions comprise a customized brand pyramid analysis tool module and an image/equity analysis tool; and  
wherein the ~~distinct software modules~~ instructions are configured to access [[the]] at least one memory for data and instructions; and  
wherein the executing comprises:  
~~executing the instructions to perform the computer-implemented steps on the processor of:~~

identifying, by the customized brand pyramid analysis tool module, a multi-tier brand pyramid customized to a company and to an industry of the company;

identifying customers who have converted from a first tier to a second tier of the multi-tier brand pyramid;

determining, by the image/equity analysis tool module and with data associated with the customers who have converted from the first tier to the second tier, the tier-specific brand image factors driving why the customers move from the first tier to the second tier;

outputting a display of an image perceptual map on [[the]] a display device, the display of the image perceptual map showing an extent of and basis for brand differentiation based on the tier-specific brand image factors associated with the customers who have converted from the first tier to the second tier; and

quantifying tier-specific brand development opportunities associated with the tier-specific brand image factors based on the display of the image perceptual map.

10. (Previously Presented) The method from claim 9, further comprising:

evaluating, by a trade-off analysis tool module, trade-offs of customer needs causing a group of the customers to move from the first tier of the multi-tier brand pyramid to the second tier.

11. (Previously Presented) The method from claim 9, further comprising:

determining, by an econometric analysis tool module, a relative weighting associated with customer needs causing a group of the customers to move from the first tier of the multi-tier brand pyramid to the second tier over time.

12. (Previously Presented) The method from claim 9, further comprising:

determining, by a regression analysis tool module and based on customer perceptions and customer needs, the customer perceptions that drive the customer needs.

13. (Currently Amended) The method from claim 9, further comprising:

generating, via [[the]] a user interface, a selected number of scenarios involving moving from a first tier of the brand pyramid to the second tier;  
determining, by a probability simulator module and based on the scenarios, a probability that a customer will move across the tiers;  
estimating, by the probability simulator module, a probability value based on a range of probabilities of customer needs causing a group of the customers to move from the first tier of the multi-tier brand pyramid to the second tier;  
outputting, on the display device, a display of the estimated probability value and the range of probabilities of the customer needs causing the group of the customers to move from the first tier to the second tier; and  
quantifying the tier-specific brand development opportunities for the particular brand based on the display of the estimated probability value and the range of probabilities of the customer needs causing the group of the customers to move from the first tier to the second tier.

14. (Currently Amended) The method from claim 9, further comprising:

generating, via [[the]] a user interface, a selected number of scenarios involving moving from a first tier of the brand pyramid to a second tier;  
determining, by a probability simulator module and based on the scenarios, a probability that a customer will move across the tiers;  
estimating, by the probability simulator module, a probability value based on a range of probabilities of tier-specific image attributes driving conversion to the second tier;

outputting, on the display device, a display of the estimated value and the range of probabilities of the image attributes driving conversion to the second tier; and

quantifying the tier-specific brand development opportunities for the particular brand based on the display of the estimated value and the range of probabilities of the tier-specific image attributes driving conversion to the second tier.

15.-17. (Canceled).

18.-26. (Cancelled).

27. (Currently Amended) A computer program product, comprising a computer usable medium having computer-readable program code embodied therein, said computer-readable program code adapted to be executed to implement a method for quantifying brand development opportunities, comprising:

executing instructions to perform computer-implemented steps on a processor, ~~providing a system comprising a processor, at least one memory storing data and instructions, a display device, a user interface, and distinct software modules embodied on a computer-readable medium;~~

wherein the ~~distinct software modules~~ instructions comprise a first analysis tool module comprising a brand pyramid conversion analysis tool module for analyzing a population of customers in a first tier of a multi-tier brand pyramid, a second analysis tool module comprising an image/equity analysis tool module for determining tier-specific brand image factors that drive the population of customers to be associated with the first tier, and a regression analysis tool module; and

wherein the ~~distinct software modules~~ instructions are configured to  
access the at least one memory for data related to the population of  
customers in the first tier and instructions; and  
wherein the instructions are embodied on a computer-readable medium;  
and  
wherein the executing comprises:

~~executing the instructions to perform the computer implemented steps on the  
processor of:~~

- executing a first analysis by the first analysis tool module;
- executing a second tier-specific analysis by the second analysis  
tool module from the data related to the population of  
customers in the first tier;
- determining, by the regression analysis tool module, the tier-  
specific brand loyalty or brand image factors related to the  
first tier and information about the tier-specific brand loyalty  
or brand image factors based on results of the first analysis  
and results of the second analysis;
- outputting a display determined result on ~~[[the]]~~ a display device,  
the display determined result showing the tier-specific brand  
loyalty or brand image factors and the information about the  
tier-specific brand loyalty or brand image factors; and
- identifying and quantifying the tier-specific brand development  
opportunities based on the display determined result, the  
tier-specific brand development opportunities comprising  
opportunities for increasing attitudinal and behavioral loyalty  
among the population of the customers associated with the  
first tier.

28. (Previously Presented) The computer program product of claim 27,

wherein the determining step identifies an association between the population of the customers in the first tier and the tier-specific brand image factors, and an extent that the tier-specific brand image factors drive customer movement from the first tier to the second tier, for determining how to increase attitudinal and behavioral loyalty; and

wherein the method further comprises

outputting a display of an image perceptual map on the display device, the display of the image perceptual map showing an extent of and basis for brand differentiation based on the tier-specific brand image factors; and

identifying and quantifying the tier-specific brand development opportunities based on the display of the image perceptual map.

29. (Currently Amended) A computer system for quantifying brand development opportunities, comprising:

a processor;

at least one memory storing data and instructions;

a display device;

a user interface; and

distinct ~~software-instruction~~ modules embodied on a computer-readable medium;

wherein the distinct ~~software-instruction~~ modules comprise a first analysis tool module comprising a brand pyramid conversion analysis tool module configured to analyze a population of customers in a first tier of a multi-tier brand pyramid, a second analysis tool module comprising an image/equity analysis tool module configured to determine tier-specific brand image factors that drive the population of customers to be associated with the first tier, and a regression analysis tool module; and

wherein the distinct ~~software-instruction~~ modules are configured to access the at least one memory for data related to the population of

customers in the first tier and instructions and, when executing the instructions, to perform the computer-implemented steps on the processor of:

- executing a first analysis by the first analysis tool module;
- executing a tier-specific second analysis by the second analysis tool module from the data related to the population of customers in the first tier;
- determining, by the regression analysis tool module, the tier-specific brand loyalty or brand image factors related to the first tier and information about the tier-specific brand loyalty or brand image factors based on results of the first analysis and results of the second analysis;
- outputting a ~~display~~ determined result on the display device, the ~~display~~ determined result showing the tier-specific brand loyalty or brand image factors and the information about the tier-specific brand loyalty or brand image factors; and
- identifying and quantifying the tier-specific brand development opportunities based on the ~~display~~ determined result, the tier-specific brand development opportunities comprising opportunities for increasing attitudinal and behavioral loyalty among the population of the customers associated with the first tier.

30. (Currently Amended) The computer system of claim 29, further comprising a probability simulator module configured to ;
- generate, via the user interface, a selected number of scenarios involving moving from the first tier to a second tier and determining, based on the scenarios, a probability that a customer will move across the tiers;
  - wherein the determining step estimates a probability value based on a range of probabilities that a group of customers will move from the first tier to the

second tier based on the results of the first analysis, the results of the second analysis, and results of the probability analysis;  
wherein outputting the ~~display~~ determined result on the display device further comprises outputting a display of the estimated probability value and the range of probabilities that the group of customers will move from the first tier to the second tier; and  
wherein identifying and quantifying the tier-specific brand development opportunities further comprises identifying and quantifying the tier-specific brand development opportunities based on the display of the estimated probability value and the range of probabilities that the group of customers will move from the first tier to the second tier.

#### ***REASONS FOR ALLOWANCE***

4. The following is the Examiner's statement of reasons for allowance:

The present invention is directed to a system and method for quantifying brand development opportunities.

The closest prior art of record is Phelan et al. (US Patent Publication No. 2004/0093296), Haigh, Understanding the Financial Value of Brands, and Pati, Marketing Research. Phelan teaches a market optimization system including a statistical and probability analysis, as well as the modeling of consumer behavior response to marketing efforts of brands. Haigh teaches the use of image/equity, customized brand pyramid, trade-off, econometric or brand conversion analysis tools for brand development. Pati teaches multi-dimensional scaling analysis, including the display of image perceptual maps of brand factors. Applicant's arguments filed on

4/28/2010 (see pages 18-21 in particular) are deemed to be persuasive and adequately reflect the Examiner's opinion as to why claims 1-6, 8-14 and 27-30 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDI P. PARKER whose telephone number is (571) 272-9796. The examiner can normally be reached on Mon-Fri. 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda C. Jasmin can be reached on (571) 272-6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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August 27, 2010

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